



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Daniel Waine

**Respondent:** Den Automation Ltd

**Heard at:** East London Hearing Centre      **On:** 09 March 2020

**Before:** Employment Judge Housego

## **Representation**

**Claimant:** Did not attend, was not represented and did not contact the Tribunal

**Respondent:** No appearance entered: in liquidation

## **JUDGMENT**

**The Claims are struck out.**

## **REASONS**

1. The Claimant did not attend, did not send a representative, and did not contact the Tribunal. A letter on the Tribunal file dated 05 March 2020 sent by email stated *“The Employment Tribunal understands that your claims brought before this Tribunal may have been paid as part of the voluntary liquidation process. Please confirm if you intend to pursue your case before the Tribunal on 9 March 2020 at 11am?”*. There is also a note on the file that the Tribunal telephoned the Claimant on 05 March 2020 and left a voicemail for him to the same effect.

2. I considered the Rules of Procedure, Rule 47:

### ***“Non-attendance***

***47. If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information***

*which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence."*

3. The heading of this section of the Rules is headed "*Rules common to all kinds of hearing*", and so applied to this hearing.

4. I decided to strike out the claims. There was no reason given for non attendance, and the Claimant had been reminded of it both by phone and email on Friday last.

**Employment Judge Housego  
Date: 9 March 2020**